

New law creates the North Lake Charles Economic Development District as a political subdivision of the state for the primary purpose of promoting, encouraging, and participating in infrastructure improvements to stimulate the economy through commerce, industry, and research and for the utilization and development of natural, physical, and human resources of the area by providing job opportunities. Establishes district boundaries. Requires that the governing authority of the district meet with representatives of business, labor, and elected officials from the parish to develop and implement a North Lake Charles Economic Development Initiative.

New law provides for governance of the district by a board of commissioners, one member of which is to be appointed by each of the following:

- (1) The mayor of Lake Charles.
- (2) The member or members of the parish governing authority who represent the district.
- (3) The member or members of the municipal governing authority who represent the district.
- (4) The member or members of the parish school board who represent the district.
- (5) The Southwest Louisiana Building and Central Trade Organizations jointly.
- (6) The Lake Charles Chamber of Commerce from among its members.
- (7) The African-American Chamber of Commerce.

Additionally provides that the member or members of the Louisiana Senate who represent the district shall appoint two members. Provides that the member or members of the Louisiana House of Representatives who represent the district shall appoint two members, one of whom shall be appointed at large and one of whom shall represent the district business community.

Provides that members of the state legislature who represent the district shall be ex officio members with full voting status. Provides that terms of appointed members shall be four years after staggered initial terms. Provides relative to filling vacancies. Provides that the compensation and removal of members, the selection and duties of officers, and requirements for meetings shall all be as provided in the district's bylaws.

New law provides that the powers of the district shall include the following:

- (1) To sue and be sued.
- (2) To adopt, use, and alter a corporate seal.
- (3) To acquire, hold, and use property including establishing, maintaining, and operating industrial or commercial parks.
- (4) Receive any aid or assistance.
- (5) To enter into contracts for acquisition, construction, and improvement of works and facilities.

- (6) To incur debt, issue bonds, and levy taxes as specified in general law and new law.
- (7) To require and issue licenses with respect to its properties and facilities.
- (8) To impose and regulate fees and rentals for its facilities and services.
- (9) To mortgage property and to borrow money and pledge revenues as security for loans.
- (10) To sell immovable property after specified notice procedures.
- (11) To appoint and set duties and compensation for officers, agents, and employees.
- (12) To contract for professional services.
- (13) To utilize the services of the executive departments of the state upon mutually agreeable terms and conditions.
- (14) To adopt bylaws.
- (15) To do all things necessary and proper to govern, regulate, develop, and control the business of the board.

New law authorizes the district to construct or acquire industrial and related facilities and sites inside the district; or outside the district if undertaken with other units of local government in accordance with existing law. Further authorizes the district to provide with respect to infrastructure development.

New law authorizes the district to dispose of property by contract to any enterprise existing or locating within the district. In determining the consideration for such a contract, authorizes the board to consider the value of property as well as the potential economic impact of an enterprise locating or expanding within the district. In determining an estimate of such impact, the board shall consider: increased employment; wages and salaries; consumption of local materials, products, and resources; and potential tax revenues. However, prohibits disposition of property for less than fair market value, as defined in existing law, without approval of the bond commission. Authorizes the district to enter leases for terms not to exceed 50 years in total, which leases shall include provision for rental rate adjustment. Provides that the approval of the bond commission shall be conclusive for purposes of compliance with the requirements of new law.

New law requires that the ordinance or resolution authorizing the disposition of property set forth the general terms of the agreement. Further requires publication of such ordinance or resolution in one issue of the official journal. Authorizes legal challenge of such resolution for a period of 30 days following publication after which period legality is presumed.

New law grants the district the following additional powers relative to economic development projects:

- (1) To acquire, except by expropriation, construct and improve, maintain, equip, and furnish one or more economic development projects.
- (2) To lease or to contract for use of its projects, to charge and collect rent, fees, or charges therefor, and to terminate any such lease or contract for failure to comply with its terms.

- (3) To sell, exchange, and convey any projects, including the power to receive the first mortgage note or notes of the purchaser.
- (4) To mortgage and pledge its projects along with revenues and receipts therefrom as security for the payment of district obligations.
- (5) To enter into cooperative financing associated with economic development projects and into cooperative development with any person or entity.

New law authorizes the district, subject to voter approval, to levy a sales and use tax not to exceed 1%, subject to sales tax exemptions provided by existing law. Provides that the authority to call the election to approve such tax shall be subject to the approval of the governing authorities of Lake Charles and Calcasieu Parish.

New law requires the board to maintain, in addition to normal and necessary accounts, certain special accounts. Requires a revolving loan guarantee fund, an economic development operation fund, and an account for the maintenance and operation of a governmental procurement center. Provides for uses of and limitations on such accounts, including requirements concerning loan guarantees.

New law authorizes the district, subject to bond commission approval, to incur debt, issue negotiable bonds, notes, certificates of indebtedness, general obligation, ad valorem tax secured bonds, revenue bonds, bond anticipation notes, or other evidence of debt pursuant to the purposes of the district. Provides for the security and payment of said debt. Requires voter approval of general obligation bonds. Authorizes securing of such bonds by an ad valorem tax. Authorizes the district to issue certificates of indebtedness and dedicate district monies including the avails of the ad valorem tax for the payment of such indebtedness. Authorizes legal challenge to any resolution authorizing the district to incur debt for a period of 30 days following publication after which period legality is presumed.

New law authorizes the district to adopt resolutions and ordinances necessary to order, hold, canvass, and promulgate returns of any election required by the Act.

New law provides that the district and its properties, bonds, and income shall be exempt from taxes. Authorizes the district to adopt set-aside goals and preference procedures in accordance with existing law.

Effective upon signature of governor (July 2, 1999).

(Adds R.S. 33:130.551-130.559)